



W.P.(MD)No.4418 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.02.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

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Marutha Muthu

...Petitioner

-Vs-

1.The District Collector,
Dindigul District, Dindigul.

2.The Revenue Divisional Officer,
Dindigul District, Dindigul.

3.The Tahsildar,
Gujiliyamparai Taluk Office,
Gujiliyamparai Taluk,
Dindigul District.

4.Rasu

5.Rajendran

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the second and third respondents herein to cancel the patta on the name of the fourth and fifth respondents herein with regard to property in Survey No.77/1 situated at Vadugambadi Village, Gujiliyamparai Taluk, Dindigul District and further direct the second respondent herein to kept the above said property as common pathway



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and common well for using the petitioner and other peoples based on his representation dated 27.11.2023.

For Petitioner : Mr.G.Gomathisankar
For R1 to R3 : Mr.P.Thilak Kumar
Government Advocate

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

Mr.P.Thilak Kumar, learned Government Advocate, takes notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed in this writ petition, notice to the respondents 4 and 5 is dispensed with.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The petitioner has filed this writ petition seeking to cancel the patta issued in the name of the fourth and fifth respondents. For the said relief, there is an effective statutory appeal remedy available to the petitioner under Section 12 of the Patta Passbook Act and the petitioner without exhausting the appeal remedy, has filed the present writ petition.



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WEB COPY 4.Hence, this writ petition is devoid of merits and accordingly, this Writ Petition is dismissed with liberty to the petitioner to file an appeal before the authorities concerned. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
19.02.2025

Index : Yes/No
Internet : Yes/No
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To

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